

811 KAR 1:050. Entries and starters; split races.

RELATES TO: KRS 230.215, 230.260(3)

STATUTORY AUTHORITY: KRS 230.215, 230.260(3)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 230.215(2) and 230.260(3) authorize the Authority to promulgate administrative regulations prescribing the conditions under which horse racing shall be conducted in Kentucky. This administrative regulation establishes requirements for entries and starters and split races.

Section 1. (1) An association shall specify how many entries are required for overnight events and after the condition is fulfilled, the race shall be run except if declared off as provided in 811 KAR 1:060.

(2) If six (6) or more betting interests are declared in to start an early closing event or a late closing event, the race shall be run, except if declared off. Stakes and futurities shall must be raced if one or more horses are declared in to start except if declared off as provided in 811 KAR 1:060.

(3) In an early closing event, if fewer horses are declared in than are required to start, and all declarers are immediately so notified, the horse or horses declared in and ready to race, and any scratched horse, shall be entitled to the sum of the entry fees submitted.

Section 2. Elimination Heats or Two Divisions. (1) If the number of horses declared in to start exceeds twelve (12) on a half-mile track or sixteen (16) on a larger track, the association conducting the race shall have the option, before positions are drawn, of announcing that the race shall be run in elimination heats. A maximum of two (2) tiers of horses, allowing eight (8) feet per horse, shall to start in any race.

(2) If an early closing event or late closing event is divided, each division shall race for at least seventy-five (75) percent of the advertised purse unless otherwise specified in the conditions of the race.

(3) If a stake race or futurity is divided pursuant to this administrative regulation, the conditions of the race shall determine the number of starters per division and the purse distribution.

Section 3. Elimination Plans. (1) If elimination heats are required, or are specified in the published conditions, the race shall be run in the following manner unless otherwise stated in the conditions or conducted under another section of this administrative regulation. The field shall be divided by lot, and:

- (a) The first division shall race a qualifying dash for thirty (30) percent of the purse;
- (b) The second division shall race a qualifying dash for thirty (30) percent of the purse
- (c) The horses so qualified shall race in the main event for forty (40) percent of the purse; and
- (d) The winner of the main event shall be the race winner.

(2) The judges shall draw the starting positions for the main event and shall determine which of the dash winners shall have the pole and which the second position, which of the two (2) horses that have been second shall start in third position, and which in fourth, etc., unless otherwise specified in the conditions of the race. An elimination dash and the concluding heat shall be programmed to be raced upon the same day or night, unless special provisions for earlier elimination dashes are set forth in the conditions.

(3) If there are three (3) or more separate heat or dash winners, those winners shall return for a single event race-off to determine the race winner. For that single event race-off, the participating horses shall be assigned post positions according to the order of their finish in the previous heat or dash.

Section 4. Overnight Events. More than nine (9) horses shall not start on a half-mile track in overnight events and more than twelve (12) horses shall not start on larger tracks at extended pari-mutuel meetings allowing eight (8) feet per horse.

Section 5. Elimination Race for Early Closing Event, Stake, or Futurity. If elimination, races are provided for in the conditions of an early closing event, stake, or futurity, the elimination race shall be held not more than five (5) days prior to contesting the main event (excluding Sunday) and omitting the day of the race.

Section 6. Penalties. (1)(a) A licensed person other than an association who violates any provision of this administrative regulation shall have committed a Category 1 violation and shall be subject to the penalties set forth in 811 KAR 1:095, Section 4(1).

(2) An association that violates any provision of this administrative regulation shall be subject to the following, based upon the factual nature and seriousness of the offense:

(a) Suspension or revocation of licensing privileges for up to ninety (90) days, as decided by the Authority; or

(b) If the Authority agrees, enter into an agreement with the Authority to mitigate the suspension or revocation by paying a fine of up to \$5,000 per occurrence. (KTC 1-8 (Rule 13); 1 Ky.R. 1107; eff. 6-11-75; Am. 6 Ky.R. 301; eff. 1-2-80; 10 Ky.R. 920; eff. 2-1-84; 33 Ky.R. 936; 2960; eff. 4-6-07.)